

PTO/SB/30 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/890078
Filing Date	1 March 2002
First Named Inventor	Schreiber et al.,
Art Unit	1617
Examiner Name	Gina YU
Attorney Docket Number	Beiersdorf T24

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s) iv. ☐ Other \_\_\_\_\_
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
- b. ☐ Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 14-1263
- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)
- WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Theodore Gottlieb, PhD	Registration No. (Attorney/Agent)	42,597
Signature	<i>Theodore Gottlieb</i>	Date	8 December 2003

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Theodore Gottlieb, PhD	Date	8 December 2003
Signature	<i>Theodore Gottlieb</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

# FAX COVER SHEET

**NORRIS, McLAUGHLIN & MARCUS**  
**220 East 42nd Street**  
**New York, NY 10017**  
**facsimile (212) 808-0844**  
**telephone (212) 808-0700**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**TOTAL PAGES (PLUS COVER SHEET) = 11**

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**DEC 08 2003**

**OFFICIAL**

<b>TO</b>	:	
<b>ATTENTION</b>	:	<b>GINA YU</b>
<b>ART UNIT</b>	:	<b>1617</b>
<b>FAX NUMBER</b>	:	<b>703 872 9307</b>
<b>RE</b>	:	
<b>SERIAL NO.</b>	:	<b>09/890,078</b>
<b>APPLICANT</b>	:	<b>Jorg SCHREIBER</b>
<b>FILED</b>	:	<b>1 March 2002</b>
<b>FOR</b>	:	<b>COSMETIC OR PHARMACEUTICAL LECITHIN-CONTAINING GELS OR</b> <b>LOW-VISCOSITY LECITHIN-CONTAINING O/W MICROEMULSIONS</b>

**TRANSMIT RCE**

**8 DECEMBER 2003**

**Attached please find:**

- **Prelim amdt**
- **Pet 2 month extension [duplicate]**
- **RCE Request**
- **Fee Transmittal [duplicate]**

**Respectfully submitted,**

*Theodore Gottlieb*  
**Theodore Gottlieb, PhD**  
**Registration Number 42,597**

PTO/SB/17 (10-03)

Approved for use through 07/31/2008. OMB 0851-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$1,190.00

**Complete If Known**

Application Number	09/890,078
Filing Date	1 March 2002
First Named Inventor	Schreiber et al
Examiner Name	Gina YU
Art Unit	1617
Attorney Docket No.	Bcdersdorf 724

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:

Deposit Account Number 14-1263

Deposit Account Name Norris McLaughlin &amp; Marcus

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
	1001	770	2001	385		Utility filing fee	
	1002	340	2002	170		Design filing fee	
	1003	530	2003	265		Plant filing fee	
	1004	770	2004	385		Reissue filing fee	
	1005	160	2005	80		Provisional filing fee	
SUBTOTAL (1)							(\$)

**2. EXTRA CLAIM FEES FOR UTILITY AND**

	Extra Claims	Fee from below	Fee Paid
Total Claims	20** = 0	X	0.00
Independent Claims	3** = 0	X	0.00
Multiple Dependent			

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
	1202	18	2202	9		Claims in excess of 20	
	1201	88	2201	43		Independent claims in excess of 3	
	1203	290	2203	145		Multiple dependent claim, if not paid	
	1204	88	2204	43		** Reissue independent claims over original patent	
	1205	18	2205	9		** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)							(\$)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
	1051	130	2051	65		Surcharge - late filing fee or oath	
	1052	50	2052	25		Surcharge - late provisional filing fee or cover sheet	
	1053	130	1053	130		Non - English specification	
	1812	2,520	1812	2,520		For filing a request for ex parte reexamination	
	1804	820*	1804	820*		Requesting publication of SIR prior to Examiner action	
	1805	1,840*	1805	1,840*		Requesting publication of SIR after Examiner action	
	1251	110	2251	55		Extension for reply within first month	
	1252	420	2252	210		Extension for reply within second month	420.00
	1253	950	2253	475		Extension for reply within third month	
	1254	1,480	2254	740		Extension for reply within fourth month	
	1255	2,010	2255	1,005		Extension for reply within fifth month	
	1401	330	2401	165		Notice of Appeal	
	1402	330	2402	165		Filing a brief in support of an appeal	
	1403	280	2403	145		Request for oral hearing	
	1451	1,510	1451	1,510		Petition to institute a public use proceeding	
	1452	110	2452	55		Petition to revive - unavoidable	
	1453	1,330	2453	665		Petition to revive - unintentional	
	1501	1,330	2501	665		Utility issue fee (or reissue)	
	1602	480	2502	240		Design issue fee	
	1503	640	2503	320		Plant issue fee	
	1480	130	1480	130		Petitions to the Commissioner	
	1807	50	1807	50		Processing fee under 37 CFR § 1.17(q)	
	1806	180	1806	180		Submission of Information Disclosure Statement	
	8021	40	8021	40		Recording each patent assignment per property (times number of properties)	
	1809	770	2809	385		Filing a submission after final rejection (37 CFR § 1.129(a))	
	1810	770	2810	385		For each additional invention to be examined (37 CFR § 1.129(b))	
	1801	770	2801	385		Request for Continued Examination (RCE)	770.00
	1802	800	1802	800		Request for expedited examination of a design application	
Other fee (specify)							

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) \$1,190.00

**SUBMITTED BY**

Name (Print/Type) Theodore Gottlieb, PhD

Registration No. 42,591

(Attorney/Agent)

Complete (if applicable)

Telephone 212 808 0700

Signature

*Theodore Gottlieb*

Date 8 December 2003

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS OFFICE.